TABLE OF CONTENTS
SH#2286274

ADDENDUM
TABLE OF CONTENTS
SH#2286274

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 04-05-11	Bureau/Station/Facility: Century Station	Admin. Invest.? ☐ Hit? ☒

Incident Information

URN: 011-05133-2172-055	Date: 04-05-11 Time: 2059
City or Station: Century Station	Nature of Incident: See Attached
Location [redacted] E. 76th Place, Los Angeles	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: driveway

Lighting (*circle only one*): (Darkness) [circled], Daylight, Other, Street Lights

Weather (*circle only one*): (Clear) [circled], Cloudy, Fog, Rain

Distance: 10-15

Incident Type (*circle one or more*): Accidental, (Armed Person) [circled], Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, (Observation) [circled], One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol) [circled]

Total # of Shots Fired by Deputy: 2

Total # of Shots Fired by Suspect: 0

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Fernandez	Heriberto		EM (PM) Day	(Regular) Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name: [redacted]		First Name: [redacted]			M.I. [redacted]
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]	
Last Name:		First Name:			M.I.
Street Address:	City:	Zip Code:	Work Ph:	Home Ph:	
Last Name:		First Name:			M.I.
Street Address:	City:	Zip Code:	Work Ph:	Home Ph:	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	[redacted]	[redacted]	[redacted]	(On Duty) Present during shooting Witness to shooting Involved in shooting
				On Duty Present during shooting Witness to shooting Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	McKnight	Gregory	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Clay	Victor	

PSTD Use Only

SH # ______

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: 011-05133-2172-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
04-05-11	2300		

Employee #	Last Name	First Name	M.I
[redacted]	Fredericks	Stefanie	
[redacted]	Flores	Carlos	
[redacted]	Strong	Eric	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	ZZ	WW	N	N	NN	
S#2	E#1	FH	ZZ	WW	N	N	NN	
E#1	S#1	FH	BR	9m	Y	Y	GS	CH
E#1	S#2	FH	BR	9m	Y	Y	GS	CH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 011-05133-2172-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Dominguez	First Name: Adrian	M.I.
Sex: M Race: Hispanic	Rank: Deputy	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): 216F
ShiftTime (*circle only one*): EM **(PM)** Day	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 4-5	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **(Uniform w/ Vest)**	Other Factors:
Age: [redacted]	Height: 511 Weight: 210		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Baretta	Caliber: 9mm	# Shots: 2	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age:	Height: Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age:	Height: Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 011-05133-2172-055

Suspect Information

S 1

Last Name: Ramirez		First Name: Oscar	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: Hispanic	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: ---	Home Phone: ---	Social Secu[redacted]	Driver's Licens[redacted]
Age: 24 D.O.B. 06-10-86	Height: 602 Weight: 180	FBI # [redacted]	CII # [redacted]
Booking # 2698063	Primary Charge: 245(c) PC	Secondary Charge:	12021(A)(1)pC
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S 2

Last Name: Burgos		First Name: Jaime	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: Hispanic	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: ---	Home Phone: ---	Social Security #: ----	Driver's Licens[redacted]
Age: 23 D.O.B. 05-19-87	Height: 509 Weight: 165	FBI # [redacted]	CII # [redacted]
Booking # 2697923	Primary Charge: 245(c) PC	Secondary Charge:	12021(A)(1)pC
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: HIT
SH# 2286274
URN 011-05133-2172-055

DATE / TIME / LOCATIONS

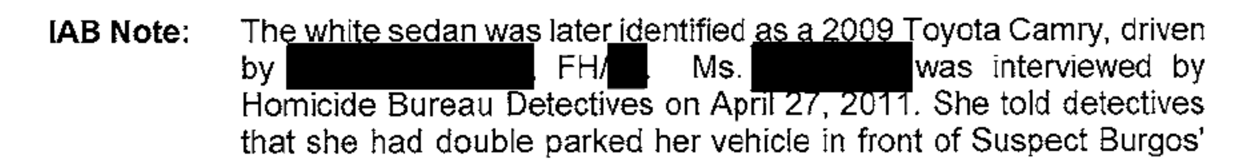
Tuesday, April 5, 2011
2059 hours
[redacted] East 76th Place, Los Angeles

On April 5, 2011, at approximately 2059 hours, Deputies Adrian Dominguez and Heriberto Fernandez were working Unit 216F, a regular patrol duty car out of the Century Station. As they traveled north on Central Avenue their attention was drawn to a white compact vehicle which was traveling south on Central Avenue. The deputies observed that the vehicle did not have a front license plate. They also saw that the vehicle only had a paper dealer plate affixed to the rear. Based on their observations, the deputies decided to turn their patrol vehicle around and initiate a traffic stop of the vehicle.

As the deputies turned their vehicle around they saw that the white compact vehicle made a right turn onto westbound 76th Place. The deputies followed, but they were a substantial distance behind the compact vehicle. As the deputies approached Wadsworth Avenue, they saw that the compact vehicle had maneuvered past a white sedan which was double parked on 76th Place, facing east. Due to several vehicles being parked on the street, and the white sedan that was double parked, there was not enough room for the deputies to drive through and continue following the compact vehicle. Based on the limited space between vehicles, the deputies slowed their patrol vehicle in front of the white sedan.

IAB Note: Area and Neighborhood Maps of the location are included in this case book. See **Exhibit D.**

As they approached the white sedan, their attention was drawn to two male Hispanics (Later identified as Suspects Oscar Ramirez, and Jaime Burgos), and one male black, standing on the passenger side of that vehicle. One of the Hispanic males was leaning inside the white sedan, as the other two males stood close by. The three males looked in the direction of the deputies' patrol vehicle, and immediately began running westbound on 76th place. The two male Hispanics ran on the south sidewalk, as the male black ran on the street.


IAB Note: The white sedan was later identified as a 2009 Toyota Camry, driven by [redacted], FH/[redacted]. Ms. [redacted] was interviewed by Homicide Bureau Detectives on April 27, 2011. She told detectives that she had double parked her vehicle in front of Suspect Burgos'

residence. She said she had spent the day with Suspect Ramirez, and Suspect Ramirez had exited her vehicle just prior to the deputies' arrival. Homicide Bureau detectives summarized their interview with Ms. [redacted] in a Supplemental Report, which is included in this case book. See **Exhibit A, Page 97**. Ms. [redacted] did not witness the shooting, nor was she charged with any crime.

The two deputies exited their patrol vehicle and began chasing the two male Hispanic suspects. The two suspects continued running west until they reached the driveway of the residence at [redacted] 76th Place. Upon reaching the driveway the two suspects turned and began running south into the driveway. The two deputies continued chasing the suspects into the driveway of the residence. Due to a vehicle parked in the driveway, the deputies were forced to enter the driveway in a single column configuration, with Deputy Dominguez in the lead.

IAB Note: A Foot Pursuit Evaluation Form was completed and submitted by Century Station personnel. The deputies chased the suspects for a distance of approximately 214 feet. A copy of the Pursuit Evaluation form is included in this case book. See **Exhibit I**.

As the deputies moved south, adjacent to the parked vehicle, one of the suspects (Ramirez) moved to his right towards a chainlink fence on the west side of the driveway. Suspect Ramirez, having retrieved a firearm from his waistband or pocket, pointed the weapon at the deputies. Deputy Dominguez fired one round at Suspect Ramirez from his department issued Beretta, striking him in the upper torso. Suspect Ramirez fell on the pavement, and threw the gun several feet to the north.

Almost simultaneously, Suspect Burgos was attempting to scale a chainlink gate located to the south, at the end of the driveway. The chainlink gate separated the driveway from the rear yard of the residence. The deputies ordered the suspect down, at which point the suspect turned to his right, and displayed a semi automatic pistol in his right hand. Suspect Burgos then pointed the weapon in the direction of the deputies. Deputy Dominguez fired one round at Suspect Burgos, striking him on the left side of his lower back. Suspect Burgos threw his firearm in a southeast direction, into the back yard of the residence. He then scaled the fence and laid on the ground.

The deputies detained both suspects at gunpoint, and called for assistance via their hand held radios. Assisting deputies arrived and a crime scene was established. The arriving deputies also assisted in controlling an unruly crowd, which had gathered shortly after the shooting. Paramedics arrived and treated both suspect's injuries. Both suspects were subsequently transported to local hospitals.

IAB Note: The third individual seen by the deputies was later found hiding in another resident's driveway. The male was detained and questioned

by Homicide Bureau detectives. He was identified as [redacted] MB/[redacted] Mr. [redacted] was released and not charged with any crime. A recording of his interview with Homicide Bureau detectives is included in this case book. See **Exhibit H**. Homicide Bureau detectives summarized their interview with Mr [redacted] in their supplemental report. See **Exhibit A, Page 43**.

Internal Affairs Bureau Lieutenant Stefanie Fredericks was notified, and along with Sergeants Carlos Flores and Eric Strong, responded to the location to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

IAB Note: Homicide Bureau's complete case book is included in this case book. See **Exhibit A**.

IAB SHOOTING / FORCE TEAM

Lieutenant Stefanie Fredericks, Sergeant Carlos Flores, and Sergeant Eric Strong.

INVOLVED PERSONNEL

Dominguez, Adrian, Deputy #[redacted] MH/[redacted] 5-11 200 [redacted]
Century Station

Date of Employment: 05-11-2000
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

SUSPECTS

Ramirez, Oscar Jesus MH/24 DOB: 06-10-1986 6-02 180

The Consolidated Criminal History System reveals Suspect Ramirez has been [redacted] Offenses include: [redacted]

IAB Note: Suspect Ramirez' Criminal History Report is included in this case book. See **Exhibit B**.

Burgos, Jaime Rodriguez MH/23 DOB: 05-19-1987 5-09 165

The Consolidated Criminal History System reveals Suspect Burgos has been [redacted]

IAB Note: Suspect Burgos' Criminal History Report is included in this case book. See **Exhibit B**.

EMPLOYEE WITNESSES

Fernandez, Heriberto, Deputy #[redacted]

NON-EMPLOYEE WITNESSES

[redacted] MB/[redacted] [redacted]

INJURIES

SUSPECT

Suspect Ramirez sustained a gunshot wound to his abdomen. He was transported to and treated at the California Hospital Medical Center in Los Angeles.

Suspect Burgos sustained a gunshot wound to the left side of his lower back. He was transported to and treated at Harbor U.C.L.A. Hospital in Torrance.

DEPUTY PERSONNEL:

None

PHYSICAL EVIDENCE

Several items of evidence were collected by the staff from Scientific Services Bureau. The suspects' weapons (firearms) were amongst the items recovered and collected as evidence. A clear plastic baggy, containing possible narcotics (Methamphetamine) was also collected.

IAB Note: A sketch of the crime scene, and evidence legend is included in this case book. See **Exhibit E**. Photographs of the scene are also included. See **Exhibit C and F**.

DISTANCE

Approximately six to ten feet.

INVESTIGATOR OBSERVATIONS

The location of the shooting was [redacted] East 76th Place in Los Angeles. The crime scene was between [redacted] East 76th Place and [redacted] East 76th Place. 76th Place is a paved east west residential street with raised curbs and concrete sidewalks on both sides. To the east of the location is Wadsworth Avenue, which is a paved north south residential street. To the west is McKinley Avenue, which is also a paved north south residential street.

Investigators observed a Los Angeles County Sheriff's Department patrol vehicle, Number SD7023, parked in the middle of 76th Place, facing west. The vehicle was parked in front of [redacted] The investigators were advised that the vehicle was assigned to Unit 216F, Deputies Dominguez and Fernandez.

At [redacted] East 76th Place the investigators observed a white SUV parked in the driveway, facing south. A clear plastic baggy, containing a white powdery substance resembling Methamphetamine, was observed lying next to the rear gate of the driveway. Two expended 9mm cartridges were observed in the overgrown grass along the west fence line. A blue steel revolver was also observed to be in the overgrown grass along the west fence line. Investigators were advised that another firearm was found in the back yard of the location. In order to maintain the integrity of the crime scene the investigators did not enter the back yard.

> **IAB Note:** Area and Neighborhood Maps are included in this report. See **Exhibit D**. Scene photographs are also included. See **Exhibits C and F**. The Sketch of the scene and evidence legend is included as well. See **Exhibit E**.

REVIEW OF RADIO TRANSMISSIONS

The Internal Affairs Investigator reviewed the emergent radio traffic initiated by the involved deputies.

On the recording, a deputy, later identified as Deputy Dominguez, is heard requesting "the patch." The Sheriff's Communication Center (SCC) Dispatcher is heard asking if there is a unit with emergent radio traffic, and asks Unit 261F for their status several times. After several seconds of silence Deputy Fernandez is then heard asking for emergency clearance ("10-33").

Deputy Fernandez advises that they have been involved in a shooting ("998"), and he gives his location. He then requests paramedics ("902R"), and advises that they are needed for the two suspects. Deputy Fernandez advises that the deputies involved are "all accounted for." He additionally advises that there are no outstanding suspects.

Assisting units, including a sergeant unit, are heard advising that they are responding. Deputy Fernandez is heard advising that a large crowd is gathering, and asks assisting units to respond "ASAP."

> **IAB Note:** A Compact Disc containing a recording of the emergent radio traffic is included in this case book. See **Exhibit G**. Emergent radio traffic begins at 6:45 of the "Windows Media File."

LIGHTING AND WEATHER CONDITIONS

The incident occurred on a clear night (2059 hours).

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Dominguez:

Service Weapon Type:	Beretta 9mm Semi-Automatic
Rounds Fired:	Two
Type of Ammunition Used:	Department Issued Luger (Win) Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

> **IAB Note:** An examination of Deputy Dominguez' firearm indicated he had shot a total of two rounds. Two expended 9mm casings were recovered at the scene. See **Exhibit E**.

WEAPONS USED BY SUSPECT

Suspect Ramirez was in possession of a "Titan" .38 Caliber Revolver, Serial Number [redacted] The firearm was loaded with six live .38 caliber rounds.

Suspect Burgos was in possession of a "Smith and Wesson" 9mm Semi-Automatic Pistol, Serial Number TBB[redacted] The firearm was loaded with 12 live 9mm rounds.

> **IAB Note:** Photographs of the suspects' firearms are included in this case book. See **Exhibits C and F**.

PROPERTY DAMAGE

No property damage was found or reported.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators: Detectives Richard Ramirez #[redacted] and Marcelo Quintero #[redacted] - **Homicide Bureau**

Charges: Assault with a deadly weapon on a Peace Officer, 245(D)(1) PC Ex-Felon in Possession of a Firearm 12021(A)(1)PC, Possession of a Firearm in a Public Place 12031 (A)(1)PC, Possession of a Controlled Substance 11378 HS.

INVOLVED EMPLOYEE STATEMENTS

Involved Deputy Adrian Dominguez was interviewed by **Homicide Bureau** Detectives Richard Ramirez and Marcelo Quintero on April 6, 2011, at 0324 hours. The interview was conducted at the Century Sheriff's Station, and was digitally audio recorded.

Deputy Dominguez stated that on the indicated date and time he was working Unit 216F with his partner, Deputy Heriberto Fernandez. He said they were traveling north on Central Avenue when they noticed a white compact vehicle traveling south. He said the vehicle was missing a front plate, and only had paper plates affixed to the rear. Deputy Dominguez said they decided to turn their vehicle around and initiate a traffic stop of the compact car.

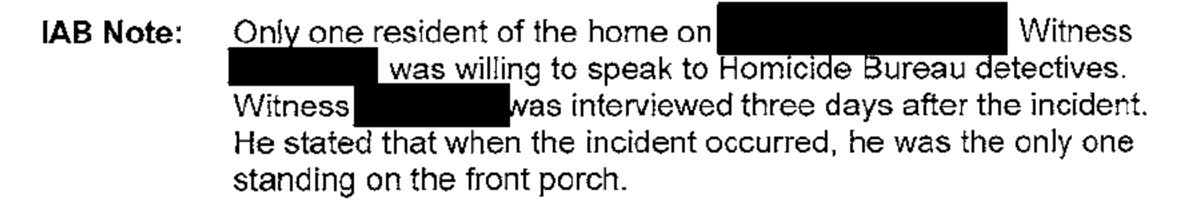
Deputy Dominguez said that as they turned their vehicle around, they noticed that the white compact vehicle turned west onto 76th Place. He said they followed, also turning west on 76th Place. Deputy Dominguez said that as they approached Wadsworth Avenue they observed a white sedan which was double parked on the south side of the street. He said the vehicle's position, coupled with the legally parked cars already there, created a very limited space for a vehicle to get through. Deputy Dominguez said that the white compact vehicle was able to maneuver past the white sedan, and continue westbound.

Deputy Dominguez said that their patrol vehicle was too big to drive through, so Deputy Fernandez (driver) began slowing the vehicle. He said that as the vehicle slowed, their attention was drawn to two Hispanic males, and one black male standing by the white sedan. He said that one of the Hispanic males was leaning inside the passenger side of the white sedan. He said that as they approached the white sedan, the three males looked in their direction and began running west.

Deputy Dominguez said they exited their patrol vehicle and began chasing the two

Hispanic males, who were running west on the south sidewalk. He said the black male continued running west, but on the street. He said that the two Hispanic males were grabbing their waistbands as they ran. He said the suspects continued running west until they reached [redacted] East 76th Place. Deputy Dominguez said both suspects turned south into that residences' driveway. He said that as they turned into the driveway he saw that one of the suspects had a firearm in his hand.

Deputy Dominguez stated that as the suspects entered the driveway they (suspects) passed the front porch of the residence. He said that several residents of the home were standing on the front porch, and appeared to have been startled by the suspects running into their driveway.



IAB Note: Only one resident of the home on [redacted] Witness [redacted] was willing to speak to Homicide Bureau detectives. Witness [redacted] was interviewed three days after the incident. He stated that when the incident occurred, he was the only one standing on the front porch.

Deputy Dominguez stated that they followed the suspects into the driveway. He said that due to an SUV parked in the driveway, there was very little room between the residence and the vehicle to walk through. He said that due to the limited space, he and Deputy Fernandez had to enter in a single column configuration between the home and vehicle. He said he took the lead, with Deputy Fernandez following closely behind him.

Deputy Dominguez said that as they continued walking south through the driveway, he and Deputy Fernandez utilized the parked vehicle as cover. He said that the two suspect's reached the end of the driveway, and their path was blocked by a chainlink gate. He said one of the suspects (Ramirez) turned to his right, and he (Deputy Dominguez) saw that he still had the firearm in his hand. Deputy Dominguez said he ordered the suspect to drop the firearm, but the suspect instead began to raise the firearm in their direction.

Deputy Dominguez said that fearing for his and Deputy Fernandez' safety, along with the safety of the other residents, he fired one round at the suspect. He said the suspect threw the firearm and laid down on the ground. Deputy Dominguez said his attention was then drawn to the other suspect (Burgos) who was attempting to scale the fence on the south end of the driveway. Deputy Dominguez said he saw that the suspect also had a pistol in his right hand, and he ordered him to drop it.

Deputy Dominguez said the suspect ignored his orders and instead pointed his firearm in their direction. He said that, again, fearing for their safety, he fired one round at the suspect, striking him. He said the suspect turned back towards the gate and threw his pistol in a south direction, towards the detached garage of the residence. Deputy Dominguez said he saw the gun land on the roof of the garage, and slide down into the

back yard. He said the suspect was able to scale the chainlink fence onto the back yard of the residence, at which point he surrendered.

Deputy Dominguez said both suspects were handcuffed, and they called for assistance via their hand held radio. He said a large crowd gathered and began shouting obscenities at him and his partner as they detained the two suspects.

> **IAB Note:** The Homicide Bureau Detectives summarized their interview with Deputy Dominguez in a Supplemental Report included in this case book. See **Exhibit A, Page 48**. A Compact Disc, containing the audio recording of Deputy Ramirez' interview, is also included in this case book. See **Exhibit H**.

Involved Deputy Adrian Dominguez was interviewed by **Internal Affairs Bureau** Sergeants Carlos Flores and Laura Haynes, on August 22, 2011, at 1014 hours. He was represented by Green and Shinee Attorney Alfonso Estrada. The interview was digitally audio recorded.

Deputy Dominguez' statement and description of the incident during this interview was essentially the same as he provided to Homicide Bureau detectives. He then answered questions relative to tactics and training.

Deputy Dominguez stated that when they approached the white sedan that was double parked, the three males standing next to the car looked in their direction and appeared "startled." He said the two male Hispanics began running west on the south sidewalk, and the black male ran west on the street. He said he could see that the two Hispanic males were holding on to their waistbands as they ran.

Deputy Dominguez said he believed that the males had just been involved in a narcotics transaction, and were possibly armed. Deputy Dominguez said he focused on the two Hispanic males and began running after them. He said he was aware that Deputy Fernandez had also exited the vehicle, and was running a few feet behind him. Deputy Dominguez said he and Deputy Fernandez ran west on the street, and were approximately 15 feet behind the suspects, and 15 feet to the north.

> **IAB Note:** Deputy Dominguez was shown an aerial photograph of the scene and was asked to mark the route taken by the suspects, and the route he and his partner took as they chased them. The photograph is included in this case book. See **Deputy Dominguez' interview transcript**.

Deputy Dominguez said he shouted several times to the suspect to stop, but they continued running. He said that he believed he was running after armed narcotic suspects, but was not sure. He said he wanted to confirm that prior to broadcasting

anything over the radio, thus he did not broadcast his foot pursuit.

Deputy Dominguez said that as the suspects approached the driveway of [redacted] 76th Place, one of the suspects (Ramirez) retrieved a handgun from his waistband. Deputy Dominguez said he drew his weapon and continued following the suspects south into the driveway. He said that several people were standing on the front porch of [redacted] 76th Place, and he began to fear for their safety. He said that he did not stop and begin containing the area due to the fact that the suspects now posed an immediate threat.

Deputy Dominguez said he attempted to initiate radio traffic, but due to the situation he opted to keep both hands on his weapon. He said he was trained and is proficient in the use of his firearm by using both his hands. He said he could hear the SCC dispatcher asking for his status, but he did not want to compromise his safety by answering her.

IAB Note: On the recording of the emergent radio traffic, the SCC dispatcher can be heard several times asking Unit 216F for their status.

Deputy Dominguez said that the suspects reached the end of the driveway, which was blocked by a chainlink gate. He said that the suspect he had seen with the gun moved to the right (north west direction), towards a fence that separated the residence on the west side. Deputy Dominguez said he (Deputy Dominguez) had taken a position behind a white vehicle which was parked in the driveway, and Deputy Fernandez was standing behind him. He said that he could see both suspects, but focused on the suspect that was armed. He said he shouted to the suspect to drop the gun. Deputy Dominguez said the suspect turned to his right and pointed the gun in his direction. He said that fearing for his safety, the safety of his partner, and the safety of the residents, he shot at the suspect one time. Deputy Dominguez said the suspect fell down, released the gun, and "proned" himself out.

Deputy Dominguez said he then focused his attention on the other suspect (Burgos), who was in the process of scaling the driveway gate. He said that he saw that the suspect had retrieved a firearm, and was holding it with his right hand. Deputy Dominguez said he ordered the suspect to drop the weapon. He said the suspect turned to his right and pointed the firearm in their direction. Deputy Dominguez said that fearing for his safety, the safety of his partner, and the safety of the residents, he shot at the suspect one time.

Deputy Dominguez said the suspect turned away from him, while at the same time throwing his gun in the back yard of the residence. He said the suspect then threw himself over the fence and laid down on the ground. Deputy Dominguez said he and Deputy Fernandez then took positions in the driveway where they could cover the suspects, and keep an eye on the hostile crowd that began to form. He said that Deputy

Fernandez then began initiating emergency radio traffic, requesting assistance.

Deputy Dominguez said that though the driveway was cark, his firearm is equipped with a tactical flashlight, which provided ample lighting. He said that at the time of both shootings he was aware that his backdrop was the backyard of the residence to the west, and the garage belonging to [redacted] 76th Place. Deputy Dominguez said that the position he took behind the parked vehicle provided him with cover and gave him a tactical position of advantage. He said that position allowed him to view both suspects and where his threats were located.

Deputy Dominguez said that besides the parked vehicle, there was nothing else between himself and the suspects; thus his field of fire was clear. He said he and Deputy Fernandez never positioned themselves in such a way that would cause a crossfire danger. He said that their positioning caused him (Deputy Dominguez) to be in Deputy Fernandez' field of fire, which explains why he did not shoot. He said that when he fired his two shots, he utilized the sights on this firearm and acquired his targets.

Deputy Dominguez stated that paramedics were summoned after the shooting. He said they arrived relatively quickly and began treating the suspects. Deputy Dominguez said that based on the suspects' actions, he (Deputy Dominguez) did not believe he had any other option besides utilizing his firearm.

IAB Note: During his interview Deputy Dominguez was shown a sketch of the scene created by Scientific Services Bureau. Deputy Dominguez was asked to mark his, Deputy Fernandez', and the two suspect's position at the time of the shooting. The sketch is included in this case book. See **Deputy Dominguez' IAB Interview Transcript.**

For his complete statements refer to Deputy Dominguez' interview transcripts.

EMPLOYEE WITNESSES

Fernandez, Heriberto #[redacted]

Witness Deputy Fernandez was interviewed by Homicide Bureau Detectives Richard Ramirez and Marcelo Quintero on April 6, 2011, at 0257 hours. Internal Affairs Bureau Sergeant Carlos Flores was also present during the interview. The interview was conducted at the Century Sheriff's Station, and was digitally audio recorded.

Deputy Fernandez stated that on the indicated date and time he was working Unit 216F with his partner Deputy Dominguez. He stated that he was the driver of their patrol

vehicle, assigned to patrol the Florence/Firestone area.

Deputy Fernandez stated that he was driving north on Central Avenue when he noticed an older model white compact vehicle traveling south. He said that the vehicle did not have a front license plate, and only paper plates affixed to the rear. Deputy Fernandez stated that he advised his partner, and they decided to conduct a U-turn and initiate a traffic stop of the vehicle. He said that as he made his U-turn he saw that the vehicle had turned west on 76th Place.

Deputy Fernandez said he turned onto westbound 76th Place and saw the vehicle approximately 100 yards ahead. He said that the vehicle maneuvered past a white sedan which was double parked on the south side of the street. Deputy Fernandez stated that the white sedan's position limited the space available to pass. He said the white compact vehicle was small enough and was able to get through and continue westbound, but the patrol vehicle was too big.

Deputy Fernandez stated that due to the fact that he could not drive through, he began to slow down. He said that as he slowed his attention was drawn to two Hispanic males, and one black male, who were standing on the passenger side of the white sedan. He said that one of the Hispanic males was leaning inside the vehicle as the other males stood nearby. Deputy Fernandez stated that it appeared to him that the male leaning in the vehicle was involved in some type of transaction, possibly involving narcotics.

Deputy Fernandez said that the three males looked in their direction and immediately began running westbound. He said the two Hispanic males ran west on the south sidewalk, and the black male ran on the street. Deputy Fernandez said he and his partner exited their patrol vehicle and shouted for the suspects to stop. He said that he saw that the two Hispanic males had their hands in their waistbands as they ran. Deputy Fernandez said he and Deputy Dominguez began chasing the two Hispanic males.

Deputy Fernandez said the suspects continued west until they reached the residence at [redacted] 76th Place. He said both suspects ran south into the driveway of that residence. He said that as the two suspects ran into the driveway he could see that one of them was holding a revolver. Deputy Fernandez said they continued following the suspects into the driveway. He said that due to an SUV parked in the driveway they entered the driveway in a single column configuration. He said they went between the house and the parked vehicle, with Deputy Dominguez in the lead.

Deputy Fernandez said that as they traveled south, one of the suspects (Ramirez) moved to his right, towards a fence on the west side of the driveway. He said that he

could clearly see that the suspect had a revolver in his right hand, and they ordered him to drop it. Deputy Fernandez said that the suspect turned and pointed the firearm in their direction, at which point Deputy Dominguez fired one round at the suspect. Deputy Fernandez said the suspect was struck in the upper torso and fell to the ground. He said the suspect threw the gun as he fell. He said he could hear the gun metal scrape along the concrete of the driveway.

Deputy Fernandez said he did not fire his firearm due to the fact that Deputy Dominguez was in front of him and in his field of fire. He said that his attention was then drawn to the second suspect, who was attempting to scale the fence at the south end of the driveway. Deputy Fernandez said that he could see that the suspect also had a firearm in his right hand. He said Deputy Dominguez ordered the suspect to drop the weapon, at which point the suspect pointed the weapon in their direction. Deputy Fernandez said Deputy Dominguez fired one round at the second suspect. He said the suspect managed to throw the firearm on the roof of the residence's garage, and then he fell to the ground. Deputy Fernandez stated that he also did not fire his firearm at the second suspect due to Deputy Dominguez being in front of him.

Deputy Fernandez stated that immediately after the shootings he initiated emergent radio traffic, requesting assistance.

IAB Note: The Homicide Bureau Detectives summarized their interview with Deputy Fernandez in a Supplemental Report included in this case book. See **Exhibit A, Page 44**. A Compact Disc, containing the audio recording of Deputy Fernandez' interview, is also included in this case book. See **Exhibit H**.

Witness Deputy Fernandez was interviewed by **Internal Affairs Bureau** Sergeants Carlos Flores and Laura Haynes, on August 22, 2011, at hours. He was represented by Green and Shinee Attorney Alfonso Estrada. The interview was digitally audio recorded.

Deputy Fernandez' statement and description of the incident during this interview was essentially the same as he provided to Homicide Bureau detectives. He then answered questions relative to tactics and training.

Deputy Fernandez stated that when they approached the white sedan that was double parked, he focused on the suspects standing next to it. He said he did not see who was in the vehicle. He said the three males looked "startled," and began running west bound on 76th Place. He said the black male ran on the street, and the two Hispanic males ran on the sidewalk. He said the two Hispanic males were holding on to their waistband as they ran.

Deputy Fernandez said that based on his observations, he believed that the suspects had been involved in a narcotics transaction with whoever was in the vehicle. He said he and Deputy Dominguez exited their vehicle and began running after the two male Hispanics. He said that Deputy Dominguez exited their vehicle first; thus he (Deputy Fernandez) was slightly behind Deputy Dominguez. He said that both he and Deputy Dominguez shouted for the suspects to stop.

IAB Note: Deputy Fernandez was shown an aerial photograph of the scene and was asked to mark the route taken by the suspects, and the route he and his partner took as they chased them. The photograph is included in this case book. See **Deputy Fernandez' interview transcript**.

Deputy Fernandez said he did not immediately initiate emergent radio traffic when the suspects began to run from them. He said he was more concerned on keeping a visual on the suspects in order to see where they were running to. He said that when the suspects turned into the driveway and one of them produced a firearm, he drew his weapon and held it with two hands. He said that he still did not broadcast any radio traffic because to do so he would have had to utilize one hand to key his microphone. He said he did not want to jeopardize his safety and the safety of the nearby residents, by letting go of his firearm and utilizing the radio. Deputy Fernandez said he was trained and is proficient in the use of his firearm by utilizing both hands.

Deputy Fernandez said he and Deputy Dominguez followed the suspects into the driveway. He said that Deputy Dominguez was in front of him and took a position behind the parked vehicle in the driveway. He said that due to the limited space, he took a position behind Deputy Dominguez. He said both suspects stopped at the end of the driveway, where a chainlink gate was located. He said that the suspect that had the gun in his hand (Ramirez) "veered off to the right," and was told by Deputy Dominguez to drop the gun. Deputy Fernandez said the suspect then turned and pointed the gun in his and Deputy Dominguez' direction. He said that Deputy Dominguez then fired one round at the suspect.

Deputy Fernandez said the suspect fell down and "tossed" the gun. He said he could clearly see and hear the gun scraping against the concrete, after the suspect threw it. He said the suspect then "proned" himself out. Deputy Fernandez said that his and Deputy Dominguez' attention was then drawn to the second suspect (Burgos), who was attempting to scale the back gate. Deputy Fernandez said he saw that the suspect had a gun in his right hand. He said that Deputy Dominguez ordered him to drop the gun, but the suspect instead turned his upper torso and pointed the gun at them. He said Deputy Dominguez then shot one round at the suspect.

Deputy Fernandez said that the suspect turned away from them, and threw the gun onto the roof of the residence's garage. He said he saw the gun fall off the roof and

land on the back yard. He said the suspect went over the gate, but laid on the ground and "proned" himself out. Deputy Fernandez said he then initiated emergent radio traffic, requesting assistance and paramedics. He said the paramedics arrived approximately ten minutes after his request, and began treating the suspects. He said a hostile crowd also began to gather.

Deputy Fernandez said that based on the actions of both suspects, he believes Deputy Dominguez had no other choice but to utilize his firearm. He said that he did not shoot due to Deputy Dominguez being in his field of fire. He said that Deputy Dominguez' field of fire was clear when he fired his two shots.

Deputy Fernandez said the driveway was dark, but deputy Dominguez' flashlight, which is affixed to his firearm, provided ample lighting. He said he clearly saw the suspects' firearms with the light they had. Deputy Fernandez said that based on the situation, he and Deputy Dominguez took the best tactical position they could, behind the parked vehicle. He said they were never positioned in such a way that would cause a crossfire danger.

IAB Note: During his interview Deputy Fernandez was shown a sketch of the scene created by Scientific Services Bureau. Deputy Fernandez was asked to mark his, Deputy Dominguez', and the two suspect's position at the time of the shooting. The sketch is included in this case book. See **Deputy Fernandez' IAB Interview Transcript.**

For his complete statements refer to Deputy Fernandez' interview transcripts.

CIVILIAN WITNESSES

The area near the shooting scene, at [redacted] East 76th Place, was canvassed for potential witnesses. The area was canvassed by Deputies from the Century Station, and Homicide Bureau.

Several individuals stated they heard gunshots, but did not actually witness the shooting or had any knowledge of the circumstances surrounding the incident. Only one (Witness [redacted] of the individuals contacted stated they actually witnessed a portion of the shooting. The names of the residents contacted, and a summary of the deputies' contact with them, are documented on Supplemental Reports.

IAB Note: Supplemental Reports detailing potential witnesses contacted are included in this report. See **Exhibit A, Pages 23-27**.

[redacted] MB/[redacted]

Witness [redacted] is a [redacted] year old male who resides at [redacted] Witness [redacted] was interviewed on April 8, 2011, by Homicide Bureau detectives. The interview was conducted at Witness [redacted] residence, and was digitally audio recorded.

IAB Note: On the night of the incident Witness [redacted] was contacted by Homicide Bureau detectives, but was uncooperative and refused to speak to them.

Witness [redacted] stated that he was standing alone on his front porch when he saw two Hispanic males run into his driveway, being chased by one deputy. He said that he did not see guns in either suspect's hands. Witness [redacted] said he then heard the deputy shout out to the suspects "Stop or I'll shoot." He said that shortly after the deputy entered the driveway, he (Witness [redacted] heard three shots in close succession.

Witness [redacted] stated that after hearing the first two shots he walked to the west end of the porch and looked down the driveway. He said he then heard and saw the deputy shoot the suspect who had jumped the fence at the end of the driveway. Witness [redacted] said the suspect was laying on his right side when he was shot by the deputy. He said he was unaware of the second suspect who was lying behind the vehicle parked in the driveway.

IAB Note: Witness [redacted] initially stated that the shots he heard were in such close succession it "sounded like an automatic weapon." He also stated that he did not look down the driveway until after hearing the shots. He later said that he heard two shots and then looked down the driveway and saw the deputy shoot the suspect on the ground.

Witness [redacted] stated that he is on [redacted] and would not know anything about guns or narcotics in [redacted] driveway. He said he also did not know that one of the suspects (Jaime Burgos) was [redacted] He said that the "word on the street" is that "18th Street" and "Florencia" gang members are shooting at deputy sheriffs.

Witness [redacted] stated that it took approximately 45 minutes for the paramedics to arrive and treat the suspects for their injuries.

IAB Note: Homicide Bureau Detectives summarized their interview with Witness [redacted] in their Supplemental Report. See **Exhibit A, Page 57**. A Compact Disc, containing the audio recording of Witness [redacted] interview, and the detectives initial contact with

him, is also included in this case book. See **Exhibit H**. Witness [redacted] advised Homicide Detectives that the other family members who live at [redacted] home did not witness the incident, nor did they want to speak with any investigator.

SUSPECT'S STATEMENTS

Suspect Ramirez was interviewed by **Homicide Bureau Detectives** on April 6, 2011, at 0448 hours. The interview was conducted at the California Hospital Medical Center in Los Angeles, and was digitally audio recorded.

Suspect Ramirez said that on the night of the incident he had consumed four beers, and ingested methamphetamine. He said that he was "hanging out" with his friend when he saw a police vehicle coming in his direction. Suspect Ramirez said he ran away due to the fact that he is on parole and had not reported to his parole officer.

Suspect Ramirez said he did not have a firearm in his possession, nor did he point a firearm at the deputies. He said the deputies shot him because he ran.

IAB Note: Homicide Bureau Detectives summarized their interview with Suspect Ramirez in their Supplemental Report. See **Exhibit A, Page 51**. A Compact Disc, containing the audio recording of Suspect Ramirez' interview is also included in this case book. See **Exhibit H**.

Deputy Azam Flores #[redacted] assigned to the Century Station, was detailed with providing security during the time Suspect Ramirez was recovering from his wound at the California Hospital. While there he began a casual conversation with Suspect Ramirez. During that conversation Suspect Ramirez admitted to lying to detectives during his first interview.

Suspect Ramirez told Deputy Flores that during the incident he did have a small firearm in his possession. He said he had bought the weapon from a man in the city of Bell Gardens, and had paid one hundred dollars for it. Suspect Ramirez additionally said that he threw the gun prior to the deputies seeing him.

Deputy Flores advised the homicide detectives of his conversation with Suspect Ramirez, and the information he had obtained. The homicide detectives requested that Deputy Flores conduct an additional interview with Suspect Ramirez, and digitally audio record it.

Suspect Ramirez was re interviewed by Deputy Flores on April 10, 2011, at 1226 hours. The interview was conducted at the Inmate Reception Center, and was digitally audio

recorded.

Suspect Ramirez again admitted to having been in possession of the firearm, but again stated that he had thrown it prior to being shot. Suspect Ramirez said he had bought the firearm several days before, and usually carried it in his pocket or in his vehicle. Suspect Ramirez said he needed the firearm due to the fact that members of another gang, "East Coast Crips," had tried to kill him before.

Suspect Ramirez said that he was going to throw the gun down as soon as he saw the deputies, but he panicked and started running. He said that when he reached the fence he threw the gun and attempted to climb the fence. He said at that point he was shot. Suspect Ramirez said he was drunk when the incident occurred.

IAB Note: Deputy Flores summarized his conversation and interview with Suspect Ramirez in a Supplemental Report. See **Exhibit A, Page 92**. A Compact Disc, containing the audio recording of Deputy Flores' interview with Suspect Ramirez is also included. See **Exhibit H.**

Suspect Burgos was interviewed by **Homicide Bureau Detectives** on April 27, 2011. The interview was conducted at the Harbor UCLA Medical Center in Los Angeles, and was digitally audio recorded.

Suspect Burgos said he was in front of his home on 76th Place when several friends arrived in a vehicle. He said he then saw the police vehicle approaching, and he began running away. Suspect Burgos said he heard someone shout "freeze," and "stop running," but he continued due to the fact that he was in possession of a firearm. Suspect Burgos said he was carrying the firearm for protection from other gang members.

Suspect Burgos said he ran down a [redacted] driveway, and ran passed a vehicle parked there. He said that he then retrieved his firearm from his waistband and threw it towards the garage of the residence. He said the deputies did not see him when he retrieved and threw the gun. Suspect Burgos said he then jumped the fence at the end of the driveway. He said he was then shot by the deputies.

IAB Note: Homicide Bureau Detectives summarized their interview with Suspect Burgos in their Supplemental Report. See **Exhibit A, Page 95**. A Compact Disc, containing the audio recording of Suspect Burgos' interview is also included in this case book. See **Exhibit H.**

On July 15, 2011, the Los Angeles District Attorney's Office issued

their letter of opinion regarding this shooting incident. The letter concludes with the statement, "Given the rapidly evolving, life-threatening situation that confronted Deputy Dominguez, we conclude he acted lawfully in self-defense and defense of Deputy Fernandez." The letter of opinion is included in this case book. See **Miscellaneous Documents**.

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY - CASE ADDENDUM
DEPUTY INVOLVED SHOOTING: HIT
SH# 2286274
URN 011-05133-2172-055

Date/Time: Tuesday, April 5, 2011

Location: [redacted] East 76th Place, Los Angeles

On November 17, 2011, the Executive Force Review Committee, consisting of Commanders Joseph Hartshorne, #[redacted] Todd Rogers, #[redacted] and Jacques La Berge, #[redacted] reviewed the deputy involved shooting incident documented in IAB SH2286274.

After reviewing the incident, the committee expressed a need for additional information. The committee requested that the two involved deputies, Adrian Dominguez, #[redacted] and Heriberto Fernandez, #[redacted] be interviewed a second time by Internal Affairs Bureau investigators. The investigator, Sergeant Carlos Flores, #[redacted] was directed to further question the deputies regarding their foot pursuit, and the use of their radio.

The following statements are summarized. Precise wording may be obtained by reviewing the digitally audio recorded interviews located in the IAB audio files and/or the verbatim transcripts included in this addendum.

INVOLVED EMPLOYEE STATEMENTS

Deputy Adrian Dominguez

Deputy Dominguez was interviewed by Internal Affairs Bureau Sergeants Carlos Flores and Laura Haynes on December 1, 2011, at 1057 hours. The interview was conducted at the Internal Affairs Bureau, and was digitally audio recorded. Deputy Dominguez was represented by Attorney Alphonso Estrada.

Deputy Dominguez reiterated what he said during his first interview. He stated that when the suspects initially ran away, he was not sure why they ran. He said that it was not until he saw the suspect's handgun that he felt he was committing to a foot pursuit. He said he then attempted to broadcast his foot pursuit, but by that time the suspects had ran into the driveway. He said he then felt that it was safer to keep both hands on his firearm, rather than reaching for his radio microphone.

Deputy Dominguez stated that he was in front of [redacted] 76th Place when he saw the suspect produce the handgun. He said it was there that the first attempt to broadcast the foot pursuit was made. Deputy Dominguez said he could not remember whether it

was he, or his partner, Deputy Fernandez, who attempted to broadcast on the radio. He said that they attempted to broadcast their foot pursuit approximately seven to ten seconds after exiting their patrol vehicle. Deputy Dominguez stated that he is aware of the Department's Foot Pursuit Policy, and the stipulation that it must be broadcasted within the first few seconds of initiation.

IAB Note: During Deputy Dominguez' interview, Sergeant Flores played the recording of the emergent radio broadcast that was initiated during the incident. A copy of that recording is included in the case book. See **Exhibit G**. He was also shown a sketch and photograph of the crime scene. He was asked to mark his position when the first attempt to broadcast their foot pursuit was made. The sketch is included in this **Addendum**. See **Deputy Dominguez' interview transcript.**

For his complete statement, refer to Deputy Dominguez' interview transcript.

Deputy Heriberto Fernandez

Deputy Fernandez was interviewed by Internal Affairs Bureau Sergeants Carlos Flores and Laura Haynes on December 1, 2011, at 1113 hours. The interview was conducted at the Internal Affairs Bureau, and was digitally audio recorded. Deputy Fernandez was represented by Attorney Alphonso Estrada.

Deputy Fernandez reiterated what he said during his first interview. He said that when the suspects ran away, he and his partner followed in order to ascertain why they ran. Deputy Fernandez stated that in his "train of thought," he was not involved in a foot pursuit until after he saw the suspects exhibit their handguns. He said that upon seeing the suspects' guns, he heard that his partner, Deputy Dominguez, attempted to broadcast their status on the radio.

Deputy Fernandez said that when they observed that the suspects had guns, he felt it was safer to keep his hands on his firearm, as opposed to trying to reach for his radio. Deputy Fernandez said that he heard Deputy Dominguez attempt to broadcast their status, approximately ten seconds after they exited their vehicle. Deputy Fernandez stated that he is aware of the Department's Foot Pursuit Policy, and the stipulation that it must be broadcasted within the first few seconds of initiation.

IAB Note: During Deputy Fernandez' interview, Sergeant Flores played the recording of the emergent radio broadcast that was initiated during the incident. A copy of that recording is included in the case book. See **Exhibit G**. He was also shown a sketch and photograph of the crime scene. He was asked to mark his position when the first attempt to broadcast their foot pursuit was made. The sketch is included in this **Addendum**. See **Deputy Fernandez' interview**

transcript.

For his complete statement, refer to Deputy Fernandez' interview transcript.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JACQUELYN LACEY • Chief Deputy District Attorney
PATRICK R. DIXON • Assistant District Attorney

JANICE L. MAURIZI • Director

July 15, 2011

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE: J.S.I.D. File #11-0252
L.A.S.D. File #011-05133-2172-055

Dear Captain Smith:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the April 5, 2011, non-fatal shooting of Oscar Jesus Ramirez and Jaime Rodriguez Burgos by Los Angeles County Sheriff's Department (LASD) Deputy Adrian Dominguez. We have concluded that Deputy Dominguez acted lawfully in self-defense and defense of his partner, Deputy Heriberto Fernandez.

The following analysis is based upon investigative reports, property reports, analyzed evidence reports, and witness statements taken during the investigation by the Los Angeles County Sheriff's Department (LASD), and submitted to this office by Detective Marcelo Quintero. The District Attorney Command Center was notified of the shooting at approximately 9:46 p.m. on April 5, 2011. The District Attorney Response Team, comprised of Deputy District Attorney Jason Lustig and District Attorney Senior Investigator Heinz Naas, responded to the location. They were given a briefing of the circumstances surrounding the shooting and a walk-through of the scene. Compelled statements were not considered in this analysis.

FACTUAL ANALYSIS

On April 5, 2011, at approximately 8:50 p.m., Deputies Fernandez (driver) and Dominguez (passenger) were on uniformed patrol in a marked police vehicle headed north on Central Avenue near 76th Place in the Florence/Firestone unincorporated area of Los Angeles County. They saw an older model compact vehicle without proper license plates traveling south on Central Avenue and decided to conduct a traffic stop. They followed the vehicle west on 76th Place where it maneuvered by an east facing, double parked car, which blocked the path of the larger patrol vehicle. As Fernandez slowed the patrol car, the deputies saw three males standing at the passenger side of the double parked car. One of the males was leaning inside the

Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210
(213) 974-3888
WEBSITE: http://da.co.la.ca.us

passenger window. The three males looked in the deputies' direction with startled expressions and began running west. Believing they had just observed a narcotics transaction, the deputies exited their patrol car and ran after two of the males who were running on the sidewalk. The third male, [redacted] ran across 76th Place and later was found hiding under a parked car.[1]

Dominguez exited the patrol car first and was leading the chase after the two males who turned south at [redacted] East 76th Place and ran down the driveway. Both deputies saw the two males holding firearms as they were running on the driveway. One of the males, Jesus Ramirez, moved toward the west fence of the residence and turned to his right enabling the deputies to see a revolver in his right hand. Both deputies ordered the males to drop their guns several times. Ramirez ignored the commands, turned further to his right and raised the gun in the deputies' direction. Dominguez fired once striking Ramirez in the upper torso. As Ramirez was falling to the ground, he threw the gun between the west fence and a car parked in the driveway.[2] Ramirez extended his arms and surrendered.

At the same time, the other male, Jaime Burgos, was attempting to climb a fence separating the driveway and backyard of the residence. The deputies ordered Burgos to stop running. Burgos turned to his right and pointed a semiautomatic firearm in the deputies' direction. Burgos ignored the deputies' orders to drop the gun. Dominguez fired once striking Burgos in the lower right back.[3] Burgos turned back towards the fence and threw the firearm on the roof of the rear detached garage on the other side of the fence. The gun slid off the roof and landed on the ground.[4] Burgos climbed over the fence and laid down where he was handcuffed.

Ramirez was transported to California Hospital where he was treated for a gunshot wound to his abdomen. Burgos was transported to Harbor UCLA Medical Center where he was treated for a gunshot wound to his lower right back.[5]

Oscar Ramirez

On April 6, 2011, at 4:48 a.m., Ramirez was interviewed in the Intensive Care Unit of California Hospital. After waiving his *Miranda* rights, Ramirez told investigators he was hanging out with friends, had drunk several beers and used methamphetamine. He ran from the police because he was on parole and believed there might be a warrant for his arrest for not reporting to the parole office. Ramirez denied having a firearm.

---

[1] When interviewed, [redacted] claimed he had been walking with a friend when he saw the patrol car approaching. He hid to avoid any contact with the police because he was on probation and did not want to get arrested. He heard two to three gunshots, but did not see any aspect of the shooting. He denied being with the two other males and running from the deputies.

[2] The firearm was a Titan Tiger, .38 special caliber revolver loaded with six live rounds.

[3] Fernandez never fired his service weapon because a car parked in the driveway created a narrow passageway placing Dominguez directly in front of him and in his line of fire.

[4] The firearm was a Smith and Wesson, model 469, 9mm semiautomatic handgun loaded with 12 live rounds in the magazine and no rounds in the chamber.

[5] In case number BA[redacted] the District Attorney's Office filed assault with a firearm on a peace officer and related firearm charges against Ramirez and Burgos.

After the formal interview with investigators ended, Ramirez spoke with Deputy Flores, who was guarding Ramirez at the hospital. During this conversation, Ramirez told Flores that he ran from the police with a gun and thought about shooting it out with them because he did not want to go back to prison. Ramirez said that he did not tell the investigators "shit" because he did not "want them to put a gun case on me. I told them that I didn't have a gun and that cop shot me for nothing." Ramirez paid $100 for the gun.

Jaime Burgos

On April 27, 2011, investigators interviewed Burgos at Harbor UCLA Medical Center. After a *Miranda* advisement, Burgos said that he was in front of his residence talking with his friends, including Ramirez, when the police appeared. He tried to enter his residence and heard "freeze." Burgos ran because he was carrying a Smith and Wesson 9mm handgun while on parole, which he knew was a serious crime. He removed the gun from his waistband with his right hand before turning down the driveway. He ran up to the gate and threw the gun toward the garage on the other side. Burgos said it was not possible for the deputies to have seen him remove the gun because he had tossed the gun and jumped the fence before being shot.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. (*People v. Williams* (1977) 75 Cal.App.3d 731.)

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. (*California Criminal Jury Instructions* 3470.)

When the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. (*People v. Collins* (1961) 189 Cal. App.3d 575).

CONCLUSION

The evidence examined in this investigation shows that Deputies Fernandez and Dominguez attempted to detain Oscar Ramirez and Jaime Burgos to investigate a possible drug violation. Upon seeing the deputies, Ramirez and Burgos ran away because they were on parole and in possession of firearms. While following Ramirez and Burgos down the driveway, the deputies saw firearms in their hands and ordered them several times to drop them. Ignoring the deputies' orders, Ramirez turned toward the deputies and raised his revolver in their direction. In imminent danger of great bodily injury or death to himself and his partner, Deputy Dominguez

fired his service weapon once, striking Ramirez in the abdomen and disabling him. At about the same time, Burgos was attempting to climb a fence with a gun in his hand. He ignored the deputies' commands to drop the gun. Instead, he turned and raised his firearm in the deputies' direction. Again in imminent danger of great bodily injury or death, Deputy Dominguez fired his service weapon once, striking Burgos in the lower back, ending the threat.

Given the rapidly evolving, life-threatening situation that confronted Deputy Dominguez, we conclude he acted lawfully in self-defense and defense of Deputy Fernandez. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

JASON P. LUSTIG
Deputy District Attorney
(213) 974-3888

c: Deputy Adrian Dominguez #[redacted]